

GIBSON, DUNN & CRUTCHER LLP  
MARK A. PERRY (SBN 212532)  
mperry@gibsondunn.com  
RACHEL S. BRASS (SBN 219301)  
rbrass@gibsondunn.com  
JULIAN W. KLEINBRODT (SBN 302085)  
jkleinbrodt@gibsondunn.com  
555 Mission Street, Suite 3000  
San Francisco, CA 94105-0921  
Telephone: (415) 393-8200  
Facsimile: (415) 374-8429

*Attorneys for Apple Inc.*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

THE CORING COMPANY, on behalf of  
themselves and all others similarly situated

Plaintiffs,

v.

APPLE INC.,

Defendant.

Case No. 3:22-CV-01044-EMC

**DECLARATION OF RACHEL S. BRASS IN  
SUPPORT OF DEFENDANT APPLE INC.'S  
MOTION TO DISMISS COMPLAINT AND  
MOTION TO STRIKE**

1 I hereby declare as follows:

2 1. I am an attorney licensed to practice in the State of California, and a member of the Bar  
3 of this Court. I am a partner at the law firm Gibson, Dunn & Crutcher LLP, counsel of record for  
4 Defendant Apple Inc. (“Apple”) in this case. I submit this declaration in support of Apple’s Motion to  
5 Dismiss Complaint and Motion to Strike. I have personal knowledge of the facts stated below and, if  
6 called as a witness, I could and would testify competently thereto.

7 2. Attached to this Declaration as **Exhibit 1** is a true and correct copy of the current Apple  
8 Developer Agreement. The Apple Developer Agreement is publicly available at the following URL:  
9 [https://developer.apple.com/support/downloads/terms/apple-developer-agreement/Apple-Developer-](https://developer.apple.com/support/downloads/terms/apple-developer-agreement/Apple-Developer-Agreement-20211213-English.pdf)  
10 [Agreement-20211213-English.pdf](https://developer.apple.com/support/downloads/terms/apple-developer-agreement/Apple-Developer-Agreement-20211213-English.pdf).

11 3. Attached to this Declaration as **Exhibit 2** is a true and correct copy of the current Apple  
12 Developer Program License Agreement. The Apple Developer Program License Agreement is publicly  
13 available at the following URL: [https://developer.apple.com/support/downloads/terms/apple-](https://developer.apple.com/support/downloads/terms/apple-developer-program/Apple-Developer-Program-License-Agreement-20211213-English.pdf)  
14 [developer-program/Apple-Developer-Program-License-Agreement-20211213-English.pdf](https://developer.apple.com/support/downloads/terms/apple-developer-program/Apple-Developer-Program-License-Agreement-20211213-English.pdf).

15 4. Attached to this Declaration as **Exhibit 3** is a true and correct copy of Schedules 2 and  
16 3 of the Apple Developer Program License Agreement. Schedules 2 and 3 of the Apple Developer  
17 Program License Agreement are publicly available at the following URL:  
18 [https://developer.apple.com/support/downloads/terms/schedules/Schedule-2-and-3-20220225-](https://developer.apple.com/support/downloads/terms/schedules/Schedule-2-and-3-20220225-English.pdf)  
19 [English.pdf](https://developer.apple.com/support/downloads/terms/schedules/Schedule-2-and-3-20220225-English.pdf).

20 5. Attached to this Declaration as **Exhibit 4** is a true and correct copy of the current App  
21 Store Review Guidelines. The App Store Review Guidelines are publicly available at the following  
22 URL: <https://developer.apple.com/app-store/review/guidelines/>.

23 6. Attached to this Declaration as **Exhibit 5** is a true and correct copy of the Articles of  
24 Incorporation for “The Coring Company,” located on the Florida Secretary of State, Division of  
25 Corporations’ official database.

26 7. Attached to this Declaration as **Exhibit 6** is a true and correct copy of Keith Mathews’  
27 Application for Admission of Attorney Pro Hac Vice, filed on July 27, 2021 in *Coronavirus Reporter*

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1 v. *Apple Inc.*, 21-cv-5567-EMC (N.D. Cal.) at docket number 8.

2 I declare under penalty of perjury under the laws of the United States that the foregoing is true  
3 and correct and that this Declaration was executed on March 11, 2022 at San Francisco, California.

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5 /s/ Rachel S. Brass

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